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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91165004
Party	Plaintiff CONCERTO SOFTWARE, INC. CONCERTO SOFTWARE, INC. ,
Correspondence Address	ANDREW MARTIR BOURQUE & ASSOCIATES 835 HANOVER STREET, SUITE 301 MANCHESTER, NH 03104 dbourque@nhpatlaw.com
Submission	Withdrawal of Opposition
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Signature	/Gary H. Lau/
Date	10/17/2006
Attachments	combined motion.pdf (2 pages)(45143 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CONCERTO SOFTWARE, INC. :
Opposer :
 :
v. :
 :
PANIC, INC. :
Applicant :

Opposition No. 91165004

**COMBINED MOTION TO AMEND APPLICATION
AND WITHDRAW OPPOSITION**

Aspect Software, Inc., successor in interest to Concerto Software, Inc., (“Opposer”) filed an opposition proceeding no. 91165004 (the “Opposition”) with the Trademark Trial and Appeal Board against Panic, Inc. (“Applicant”) for the UNISON mark, Serial No. 78/370,846 (the “Panic Application”). The parties desire to settle the opposition by amending the Panic Application and withdrawing the Opposition.

Motion to Amend

Applicant files this Consented Motion to Amend Application (“Applicant’s Motion”) for the Panic Application. Applicant’s Motion is made under 37 C.F.R. § 2.133 and Section 514 of the Trademark Trial and Appeal Board Manual of Procedure. Opposer has consented to Applicant’s Motion.

Applicant respectfully requests that the Trademark Trial and Appeal Board amend the identification of goods in the Panic Application as follows:

Current:

Computer software used for reading, previewing, managing, and downloading the messages and content available via Usenet groups on a global computer network, in International Class 9.

Proposed:

Personal computer software used for reading, previewing, managing, and downloading the messages and content available via Usenet groups on a global computer network; and not for use with customer contact centers, namely, computer hardware and associated software for initiating, integrating, routing, controlling, logging, recording and monitoring inbound and outbound customer contact through multiple channels, in International Class 9.

Motion to Withdraw Opposition

The parties request that the Opposition proceeding be suspended pending the Trademark Trial and Appeal Board's consideration of Applicant's Motion. Upon the Trademark Trial and Appeal Board grant of Applicant's Motion, Opposer, with the consent of Applicant hereby files this Stipulated Motion to Withdraw the Opposition against the Panic Application with prejudice.

This combined motion to amend application and withdraw opposition is being submitted jointly by the parties.

Respectfully submitted,

By: 

Panic, Inc.
Gary H. Lau, Esq.
7430 N Fiske Avenue
Portland, OR 97203

Attorney for Applicant

Date: 10/17/06

By: 

Aspect Software, Inc.
Daniel Bourque, Esq.
Bourque & Associates
835 Hanover Street, Suite 301
Manchester, NH 03104

Attorneys for Opposer

Date: 10/18/06